

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-v-

1:19-CV-233-V

SIMON D. VOSBURGH, III,

Defendant.

CONSENT JUDGMENT

Upon the annexed Stipulation by and between the parties, JAMES P. KENNEDY, United States Attorney, by KEVIN D. ROBINSON, Assistant United States Attorney, and Defendant, SIMON D. VOSBURGH, III, and his attorney, PATRICK J. MACKEY ("Defendant"), it is hereby:

ORDERED, ADJUDGED and DECREED, that this Court has jurisdiction over the subject matter of this litigation and over the parties. The Defendant acknowledges that the Court has personal jurisdiction; and it is further

ORDERED, ADJUDGED and DECREED, that the Defendant pay to the United States the sum of \$33,730.60. Since the Defendant is unable to immediately pay this debt in full in one lump sum, a monthly payment schedule at a rate of at least \$300.00 a month has been established by the United States based upon a review of the Defendant's finances and his ability to pay. Each monthly installment of \$300.00 is due on the last day of each month.

The established monthly payment schedule will continue thereafter until the entire debt is paid in full. The Defendant may pay a larger installment or pay the entire unpaid balance of the judgment without penalty; and it is further

ORDERED, ADJUDGED and DECREED, in the event the United States requests disclosure of the Defendant's financial information after entry of this Consent Judgment, the Defendant agrees to disclose fully and completely all assets in which the Defendant either has any property interest, or over which the Defendant exercises control, directly or indirectly, including those held by a spouse, nominee or other third party. The Defendant agrees to make complete financial disclosure to the United States by truthfully executing a sworn financial statement by the deadline set by the United States. The Defendant agrees to authorize the release of all financial information requested by the United States, including, but not limited to, executing authorization forms for the United States to obtain tax information, bank account records, credit history, and social security information. The Defendant agrees to discuss or answer any questions by the United States relating to the Defendant's complete financial disclosure; and it is further

ORDERED, ADJUDGED and DECREED, that in consideration of the obligation of the Defendant set forth in this Consent Judgment, conditioned upon the Defendant's payment in full of the amount due as stated hereinabove, which resulted from overpayments from Social Security disability benefits received by the Defendant, which was disbursed by the Social Security Administration; and it is further

ORDERED, ADJUDGED and DECREED, that execution upon said Judgment be stayed unless and until the Defendant defaults in the payment of any monthly installment due, in which event the entire balance shall become immediately due and payable, and the United States shall have the right to execute upon this Judgment without any notice to the Defendant. Default will occur if a monthly installment is over fifteen (15) days past due; and it is further

ORDERED, ADJUDGED and DECREED, that this judgment and/or a transcript thereof shall be recorded in the records of the County Clerk's Office in the county of the Defendant's residence and any and all other counties in which the Defendant has either real or personal property as a lien thereon; and it is further

ORDERED, ADJUDGED AND DECREED, that the Defendant shall keep the United States currently informed, in writing, of any material change in his financial situation or ability to pay, and of any change in employment, place of residence or business, and telephone number; and it is further

ORDERED, ADJUDGED AND DECREED, within twenty (20) days of payment in full, the plaintiff shall file a Satisfaction of Judgment with the District Court and the appropriate Clerk of the county in which any transcript of judgment has been filed; and it is further

ORDERED, ADJUDGED and DECREED, that judgment be, and the same hereby is, entered in accordance with the foregoing.

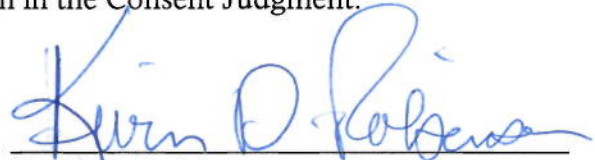
DATED: September 16, 2019.


HONORABLE LAWRENCE J. VILARDO
UNITED STATES MAGISTRATE JUDGE

IT IS HEREBY STIPULATED, by and between the parties hereto, KEVIN D. ROBINSON, Assistant United States Attorney, for the plaintiff, and SIMON D. VOSBURGH, III, and his attorney, PATRICK J. MACKEY ("Defendant"), that judgment be entered upon the terms and conditions set forth in the Consent Judgment.


DATED: 9/13, 2019

BY:


Kevin D. Robinson
Assistant United States Attorney
Attorney for the Plaintiff
138 Delaware Avenue
Buffalo, New York 14202

DATED: 9/5, 2019

BY:


Patrick J. Mackey
Attorney for Defendant
LIPSITZ GREEN SCIME CAMBRIA
42 Delaware Avenue, Suite 123
Buffalo, New York 14202

DATED: 9-5-19, 2019

BY:


SIMON D. VOSBURGH, III
Defendant